IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

R. P.No. 28 of 2007(G)

AGAINST THE JUDGEMENT/ORDER IN WPC.19596/2005 Dated 30/10/2006
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REVIEW PETITIONER/4TH RESPONDENT

DR.JANARDHANAN D.A.M,
AGED 59 YEARS, KANNAMKUNIYIL, KOTTANAD,
PALAKKAD (DT.).

BY ADV. SRI.V.M.KRISHNAKUMAR

RESPONDENTS:

1. SUHARA.P, AGED 32 YEARS,
W/O.P.SULAIMAN, PARANGATHAYIL HOUSE,
PIDAVANNUR P.O., MOOKUTHALA, MALAPPURAM.

2. THE SUPERINTENDENT OF POLICE,
MALAPPURAM.

3. THE CIRCLE INSPECTOR OF POLICE,
PONNANI, MALAPPURAM.

4. THE SUB INSPECTOR OF POLICE,
CHANGARAMKULAM POLICE STATION, PONNANI,
MALAPPURAM.

5. MANGALODAYAM VAIDYASALA,
CHANGARAMKULAM P.O., PONNANI, MALAPPURAM,
REP.BY ITS PROPRIETOR,
P.A.ABOOBACKER HAJI.

6. THE DRUGS CONTROLLER (AYURVEDIC),
THIRUVANANTHAPURAM.

BY ADV. SRI.M,.SASINDRAN
SRI.M.P.KRISHNAN NAIR
SRI. THOMAS JOHN AMBOOKEN, GOVERNMENT PLEADER

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 24/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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Rev.P. NO. 28 OF 2007

in

W.P.(C). No. 19596/2005

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Dated this the 24th day of January 2007

O R D E R

The Review Petitioner, who is the 4th respondent in W.P.(C) No. 19596, has sought for getting the judgment dated 30.10.2006 reviewed on the ground that he was not heard. It is submitted that the name of the counsel was not listed in the cause list.

It is mentioned in the note of the office that the vakalath of R4 i.e., the petitioner is not seen entered in the computer entries. The petitioner has produced the copy of the vakalath wherefrom it can be seen that the vakalath was returned as incomplete and with direction to return within 15 days after curing the defects. It appears that the vakalath was not re-presented. The contention of the counsel is that there is no defect at all in the vakalath. All the same, it would not be possible to verify the same objectively as the vakkalath is produced directly right now although the

representation of the counsel need not be disbelieved. All the same, the vakalath returned ought to have been re-presented in time on 15.12.2005 or fact of mistake in the office note ought to have been brought to the notice of the concerned Officer or of this Court, earlier. I find that the Judgment in Writ Petition No. 19596/2005 is a considered one, after hearing the counsel for the petitioner, Counsel for R5 and the Government Pleader. Hence I find no reason to review the order which is to the effect that the police shall investigate the matter.

K.R. UDAYABHANU, JUDGE.

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